

REMARKS**I. Status of the Claims:**

Claims 37-40 and 48-61 are pending in this application. The Applicant wishes to thank the Examiner for the telephone interview of March 22, 2006 and his suggestions for amending the claims.

By this Amendment, claims 37, 49, 50, 52 and 57 have been amended, and claims 40 and 48 have been canceled without prejudice or disclaimer. Upon entry of the Amendment, claims 37-39 and 49-61 would be pending. No new matter is believed to have been introduced by this Amendment. Entry of this Amendment before examination on the merits is respectfully requested.

II. Rejections under 35 U.S.C. § 103:

Claims 37-40, 48-55, 57-58 and 60 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Arimoto et al. (US 5,371,613), Orito (US 6,072,912), Holub (US 6,043,909) and Irie (US 5,644,409). Claims 59 and 61 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Arimoto et al., Orito, Holub, Irie and Usami (US 5,960,110).

Claim 37, as amended, is directed to an image sensing apparatus including: an image sensor which separately reads out image signals from a plurality of photoreceptive pixels via a plurality of output channels; a reference level acquisition unit adapted to acquire a first reference level by selecting a maximum of the image signals read via said plurality of output channels when said image sensor reads a white member, and acquire a second reference level by selecting a minimum of the image signals via said plurality of output channels when said image sensor reads a reference density member having a predetermined density of half tone; a reference

value setting means for setting reference values by fitting said first and second reference levels; and a plurality of adjustment units, respectively corresponding to said plurality of output channels, each adapted to adjust levels of the image signals output via corresponding one of said plurality of output channels to said corresponding reference values set by said reference value setting means.

The claimed arrangement involves selecting the maximum and minimum of the image signals as the first and second reference signals and setting reference values by fitting the so selected first and second reference signals and, thus, can for example address the problem as described in page 28, line 3-16 (e.g., a case where signal levels output via a given output channel higher than a certain value are represented by a saturation level). The exemplary support(s) and effect(s) of this operation are explained in page 28, line 17 to page 29, line 13. Since the claimed arrangement can for example eliminate the gap between the signals levels output via the different output channels, the adjusted result does not for example have to be ideal, as long as the gap between the output channels can be eliminated.

Arimoto and Holub is silent about the image sensor being read via a plurality of output channels. Orito is alleged as disclosing this feature.

However, Orito does not disclose a reference level acquisition unit that acquires a first reference level by selecting the maximum of the image signals read via said plurality of output channels when the image sensor reads a white member, and a second reference level by selecting the minimum of the image signals read via said plurality of output channels when the image sensor reads a reference density member. Neither Holub nor Irie disclose this operation.

Furthermore, Orito, Holub, and Irie, individually or in combination, do not disclose a reference value setting means for setting reference values by fitting said first and second reference levels obtained as above.

According, claim 37 and its dependent claims are believed to be distinguishable over the cited references. Reconsideration and allowance of the claims are respectfully requested.

CONCLUSION

Based on the foregoing amendments and remarks, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-4676.

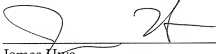
In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-4676.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: _____

9/11/07

By: _____


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